

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EMANUEL REDDEN,)	
)	
Plaintiff,)	
)	Civil Action No. 05-238-GMS
v.)	
)	
WARDEN KEARNEY, SGT. DUKES,)	
CORRECTIONAL OFFICER WALKER,)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

COME NOW, the Defendants Warden Kearney, Sgt. Wayne Dukes and Correctional Officer Samuel Walker (collectively "Defendants"), by and through their undersigned counsel, and hereby move this Honorable Court (the "Motion") to enter an Order, substantially in the form attached hereto, dismissing with prejudice all claims against them pursuant to Rule 56(c) of the Federal Rules of Civil Procedure. In support of their Motion, Defendants filed simultaneously herewith Defendants' Opening Brief In Support Of Their Motion For Summary Judgment.

WHEREFORE, Defendants respectfully request that this Honorable Court enter an Order dismissing the claims against them with prejudice.

DEPARTMENT OF JUSTICE
STATE OF DELAWARE
/s/ Linda M. Carmichael
Linda M. Carmichael (#3570)
Erika Y. Tross (#4506)
Deputy Attorneys General
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Attorneys for Defendants Warden Kearney,
Sgt. Dukes and Correctional Officer Walker

Dated: March 22, 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EMANUEL REDDEN,

Plaintiff,

v.

WARDEN KEARNEY, SGT. DUKES,
CORRECTIONAL OFFICER WALKER,

Defendants.

Civil Action No. 05-238-GMS

ORDER

Upon Defendants' Motion For Summary Judgment pursuant to Federal Rule Of Civil Procedure 56(c) (the "Motion"); and it appearing that good and sufficient notice of the Motion has been given; and after due deliberation thereon:

IT IS HEREBY ORDERED as follows:

1. The Motion is **GRANTED**.
2. The Complaint filed in the above-captioned action is **DISMISSED WITH PREJUDICE**.

SO ORDERED this _____ day of _____, 2007.

The Honorable Gregory M. Sleet
United States District Court Judge

CERTIFICATE OF SERVICE

I, Linda M. Carmichael, Esq., hereby certify that on March 22, 2007, I caused a true and correct copy of the attached *Defendants' Motion For Summary Judgment* to be served on the following individual in the form and manner indicated:

NAME AND ADDRESS OF RECIPIENT:

Inmate Emanuel Redden
SBI #00092507
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

MANNER OF DELIVERY:

- ☐ One true copy by facsimile transmission to each recipient
- ☒ Two true copies by first class mail, postage prepaid, to each recipient
- ☐ Two true copies by Federal Express
- ☐ Two true copies by hand delivery to each recipient

/s/ Linda M. Carmichael
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